

### **Remarks/Arguments**

Applicant thanks the Examiner for his time and courtesy during a telephone interview on May 24, 2006, with Applicant's representative. During the interview, the Examiner and Applicant's representative generally discussed aspects of claims 1 and 3, as well as related aspects of Applicant's specification and the disclosure of Roop (5,619,274). More particularly, the Examiner and Applicant's representative discussed portions of Roop relating to receiving and sending time information and relating to daylight savings time. No specific amendments were discussed, and no agreements were made.

Claims 1-7 have been examined in the Office Action mailed January 11, 2006. Applicant has amended claims 1-7 and added dependent claims 8-15. No claims have been cancelled. Claims 2 and 4-7 have been amended to correct for antecedent basis and consistency issues, and not for reasons related to patentability. Accordingly, claims 1-15 are presented for consideration in light of the remarks below, with claim 1 being independent.

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roop in view of the Program and System Information Protocol for Terrestrial Broadcast and Cable document (the ATSC document). Applicant does not admit that claims 1-6 were not patentable, but to expedite prosecution has amended independent claim 1. Applicant respectfully submits that the rejection is moot in light of the amendments to claim 1.

The applied portions of Roop do not disclose or suggest, at least, "a tuner operable ... to receive (1) for the first program, first current time reference information from a first corresponding program source, and (2) for the second program, second current time reference information from a second corresponding program source" (claim 1, emphasis added). Rather, Roop describes a system in which subscriber units 52 (e.g. individual users) receive current time information from a single source. Roop's system sends various commands (see Roop at cols. 35-36, Table VII) to a broadcaster, that then sends the commands to the subscriber units 52 by transmitting the commands in the vertical blanking interval lines of a broadcast (see Roop at col. 16, lines 59-61). One of the commands is called a Time Command, and sends current time information (see Roop at col. 39). A user receives the current time information from a single source, rather than receiving current time reference information from two corresponding program sources as recited. Each Time

Command, and the current time information in that command, comes from the same source. Another of the commands is called a Daylight Savings Time ("DST") Change Command, and indicates when the next daylight savings time change will occur (see Roop at cols. 40-41). This DST Change Command does not even include any information related to the current time, and so does not include "current time reference information" (claim 1).

Additionally, the applied portions of Roop do not disclose or suggest, at least, that the processor is programmed "to provide a second scheduling clock based on the second current time reference information [from the second corresponding program source]; and ... to initiate the second program processing function based upon the second scheduling clock" (claim 1, emphasis added). For the sake of argument only, we will assume that Roop describes the provision of a first scheduling clock based on current time reference information from a first corresponding program source, as recited in claim 1. In such a case, the current time reference information would have to be the current time received in a Time Command, because Roop does not provide any other information that might arguably be current time reference information. However, for at least the reason that there are not two corresponding program sources sending current time reference information, Roop does not describe the provision of a second scheduling clock based on second current time information from a second corresponding program source (as recited in claim 1). Further, because Roop has no second scheduling clock, Roop cannot "initiate [any] program processing function based upon [a] second scheduling clock" (claim 1).

The ATSC document relates to a communication protocol. However, the applied portions of ATSC are not cited to overcome, and do not overcome, the above-described deficiencies of Roop. Accordingly, claim 1 is patentable over the applied references.

Claims 2-6 depend from independent claim 1, and the Office Action applies additional portions of Roop against the recitations of claims 2-6. The additional portions of Roop are not cited to cure, and do not cure, the above-described deficiencies in Roop. Accordingly, claims 2-6 are patentable over the applied references for at least the reasons discussed above with respect to claim 1.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Roop in view of the ATSC document in further view of Landis (5,561,461). Landis relates to setting an accurate time of day. Claim 7 depends from independent claim 1. Applicant respectfully traverses the rejection for at least the reason that the applied portions of Roop,

the ATSC document, and Landis, are not cited to overcome, and do not appear to overcome, the deficiencies of Roop discussed above with respect to claim 1. Accordingly, claim 7 is patentable over the applied references.

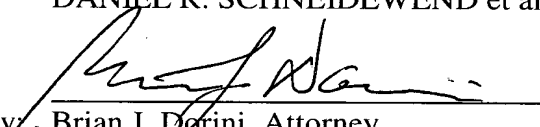
Applicant has added new claims 8-15 which are ultimately dependent on claim 1. Accordingly, for at least the reasons discussed above with respect to claim 1, new claims 8-15 are patentable over the applied references.

For the sake of brevity, Applicant has not repeated the arguments from the earlier responses, but does hereby incorporate them by reference for all purposes.

For at least the reasons given above, Applicant respectfully submits that claims 1-15 are patentable over the applied references and requests allowance of claims 1-15.

The RCE transmittal accompanying this response has authorized charging the \$790.00 fee for filing the RCE to Deposit Account No. 07-0832. Please also charge any other fee that may be associated with the filing of these documents, and credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,  
DANIEL R. SCHNEIDEWEND et al.

  
By: Brian J. Dorini, Attorney  
Reg. No. 43,594  
Phone (609) 734-6817

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Patent Operations  
Thomson Licensing Inc.  
P.O. Box 5312  
Princeton, New Jersey 08543-5312